

REMARKS

In the Office Action mailed March 23, 2009 (hereinafter, "Office Action"), the Examiner rejected claims 18, 20, and 23-33 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,896,618 to Benoy et al. (hereinafter, "Benoy") in view of U.S. Patent Application Publication No. 2008/0171601 to Kirmse et al. ("Kirmse").

By this response, Applicants hereby amend claims 18, 20, 24, 26, 32, and 33, add new claim 34, and cancel claim 23, without prejudice or disclaimer of its subject matter. Claims 1-17, 19, 21, and 22 were previously canceled. Support for the amendments can be found in the specification at, for example, page 11, line 22 through page 13, line 14; page 16, lines 2-10; and page 17, lines 17-24. No new matter has been added. Accordingly, claims 18, 20, and 24-34 are currently pending.

In light of the foregoing amendments and based on the remarks presented below, Applicants respectfully traverse the rejection of the claims under 35 U.S.C. § 103(a), and request allowance of pending claims 18, 20, and 24-34.

I. Rejection Under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection of claims 18, 20, and 23¹-33 under 35 U.S.C. § 103(a) as being unpatentable over the cited art.

¹ While the rejection of claim 23 has been rendered moot by the cancellation of that claim, the subject matter of claim 23 has been included in amended claim 20.

The cited art fails to teach or suggest each and every feature of Applicants' amended independent claims 18, 24, 26, 32, and 33. Specifically, Applicants respectfully submit that amended independent claims 18, 24, 26, 32, and 33 are allowable because neither Benoy, nor Kirmse, taken alone or in any reasonable combination, teaches or suggests, at least Applicants' claimed

“(d) transmitting the optional message from the server device to the terminal device optionally designated in advance by the player so that the optional message is displayed on the terminal device when the event has occurred on the arcade game machine during the progress of the game after starting the game, wherein the optional message to be displayed on the terminal device is associated with the game result after the game has been played in response to input from the player,”

as recited in amended independent claim 18, and similarly recited in amended independent claims 24, 26, 32, and 33.

In the Office Action, at page 3, the Examiner acknowledges that “Benoy fail[s] to disclose” the recitations of amended independent claim 18, including, *inter alia*, “(d) transmitting the optional message from the server device to the terminal device optionally designated in advance by the player so that the optional message is displayed on the terminal device when the event has occurred on the arcade game machine during the progress of the game after starting the game.” Office Action, p. 3.

The Examiner alleges, however, that “Kirmse teaches [] a game and messenger client-server system . . . that includes a plurality of game clients, a game server, a plurality of messenger clients, and a messenger server” Id. According to the Examiner, “Kirmse also teaches [] an optional messaging system such that when an invitee messenger client receives a message that a buddy is playing a game, the invitee

messenger client decodes the message as needed to invoke the game and optionally send a message to the census process” Id. at p. 4. The Examiner further alleges that “[t]his messaging system is used for coupling a game client to a messenger client to allow the game client to send the messenger client data used to initiate joining a game, whereby a message sent by the messenger client includes the data used to initiate joining a game.” Id.

Even assuming that the Examiner’s statements regarding Kirmse are correct, which Applicants do not concede, the Examiner’s statements do not correspond to Applicants’ claim recitations, including, *inter alia*,

“(d) transmitting the optional message from the server device to the terminal device optionally designated in advance by the player so that the optional message is displayed on the terminal device when the event has occurred on the arcade game machine during the progress of the game after starting the game, wherein the optional message to be displayed on the terminal device is associated with the game result after the game has been played and in response to input from the player.”

as recited in amended independent claim 18, and similarly recited in amended independent claims 24, 26, 32, and 33. Indeed, Kirmse fails to overcome the deficiencies of Benoy, as set forth above, and the failure of Benoy to disclose or suggest at least the above-quoted claim recitations.

Accordingly, neither Benoy, nor Kirmse, whether taken alone or in combination, discloses or suggests, at least the above-quoted recitations of amended independent claim 18. Amended independent claims 24, 26, 32, and 33, although of different scope, include recitations similar to those discussed above with respect to amended independent claim 18. Therefore, for at least the reasons discussed above, amended

independent claims 18, 24, 26, 32, and 33 are nonobvious over Benoy and Kirmse, and should be allowed.

Claims 20, 27, 28, and 34 depend from amended independent claim 18. Claims 29 and 30 depend from amended independent claim 24. Claim 31 depends from amended independent claim 26. For at least the same reasons as set forth above in connection with their corresponding amended independent claims, claims 20, 27-31, and 34 are also nonobvious over Benoy and Kirmse, and should be allowed.

II. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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